

Panaji, 28th August, 1997 (Bhadra 6, 1919)

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OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE:- There is one Extraordinary issue to the Official Gazette Series I No. 21 dated 21-8-97, namely Extraordinary dated 21-8-97 from pages 379 to 380 regarding Notification from Department of Inland Waterways.

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Art and Culture

Notification

DAC/1/MB/CMA/97

The Memorandum of Association and the Rules & Regulations of the Society, INSTITUTE MENEZES BRAGANZA PANAJI GOA which has been duly registered under Societies Registration Act, 1860 on 14-8-97 is hereby published for general information.

M. V. Naik, Director of Art & Culture & Member Secretary.
Panaji, 20th August, 1997.

Memorandum of Association of Institute Menezes Braganza Panaji - Goa

1. The name of the Society shall be the Institute Menezes Braganza (here-in-after referred to as the Society).

2. The Office of the Society shall be located at Institute Menezes Braganza Building at Panaji-Goa and will continue to function from the said place.

3. The objectives for which the Society is established are:

i) to provide adquare administrative set up and management of the Institute Menezes Braganza with all its assets and liabilities.

ii) to promote all round development of languages, literatures and cultures and for this purpose to initiate, assist or organise seminars, conferences, symposia or exhibitions for promotion of literature and culture.

iii) to develop linguistic, literary and cultural interaction among national and foreign languages, literatures and cultures by associating with institutions having similar objectives.

iv) to publish journals, reports, pamphlets and other literature, research papers and books with a view to disseminating information on linguistic, literary, cultural, social, economic and political matters.

v) to establish and maintain libraries and information services.

vi) to take all such steps as may be deemed necessary for the achievement of the aims and objects.

vii) to make with prior approval of the Government of Goa rules, regulations and bye-laws for the conduct of the affairs of the Society and to add to amend, vary or rescind them from time to time.

viii) to acquire and hold property provided that prior approval of the Government of Goa is obtained in the case of immovable property.

ix) to obtain or accept grants, subscriptions, gifts, bequests, benefactions, transfers of properties both movable and immovable from Governments or from any persons or organisations for the purpose of the Society.

x) to pay out of the funds belonging to the Society or out of any particular part of such funds, the expenses incurred by the Society from time to time including all expenses incidental to the formation of the Society and management and administration of any of the foregoing objects including all rents, rates, taxes, outgoings and salaries of the employees.

xi) to acquire, hold mortgage and dispose of any property in any manner whatsoever for the Society provided that the prior approval of the Government of Goa shall be obtained in case of disposal of immovable property.

xii) to deal with any property belonging to or vested in the Society in such manner as the Society may deem fit for advancing the functions of the Society.

xiii) to borrow and raise moneys with or without security or on the security of mortgage, charge or hypothecation or pledge over all or any of the immovable properties, belonging to the Society or in any other manner whatsoever for the purpose of the Society provided that any change or mortgage on immovable property shall require prior approval of Government of Goa.

xiv) to build, construct and maintain, buildings and there after to extend improve, repair enlarge or modify including

the existing building, and to provide and equip the same with light, water, drainage, furniture and other things for the use of which such buildings are to be put or hold in connection with the objects of the Society.

xv) to appoint committees or sub-committees as may be deemed fit to carry out the objects of the Society. The Society shall have the power to set guidelines for the proper functioning of the committees or sub-committees and to issue directives to the committees.

4. The income and property of the Society, however, derived shall be applied towards the promotion of the objects thereof as set forth in this memorandum of association subject nevertheless in respect of the expenditure or disposal of the properties to such limitations or conditions as the Government may from time to time impose. No portion of the income and property of the Society shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit, to the persons who at any time are or have been members of the Society or to any of them or any person claiming through them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other persons in return for any service rendered to the Society.

5. The Government may issue directions to the Society as it may consider necessary for the furtherance of the objects of the Society and for ensuring their proper and effective functioning and the Society will carry out such directions.

6. The names; addresses, designations and occupations of the members of the Society to whom by the Rules and Regulations of the Society, the management of its affairs is entrusted as required under Section 2 of the Societies Registration Act, 1860 are given below:

Sr. No.	Name	Occupation and designation	Address
1.	Dr. G. C. Srivastava	Chief Secretary, Govt. of Goa, Secretariat, Panaji-Goa.	Altinho, Panaji.
2.	Shri Chandrakant Keni	Chairman 'Editors' Guild Panaji-Goa.	Aquem, Margao-Goa.
3.	Shri Shashikant Narvekar	President, Marathi Academy, Panaji-Goa.	Mapusa-Goa.
4.	Adv. Uday Bhembre	President, Konkani Academy, Panaji-Goa.	Ghokal, Margao-Goa.
5.	Shri Vinayak Naik	President, Gomantak Sahitya Sevak Mandal, Panaji-Goa.	Mapusa-Goa.

1	2	3	4
6.	Shri Madhav Pandit	President, Gomantak Rashtrabhasha Vidhyapeeth, Margao-Goa.	Alto Monte Margao-Goa
7.	Shri Sripad M. Prabhu dessai.	President, Sanskrit Pracharini Sabha Margao-Goa.	Comba Margao-Goa.

We, the several persons whose names and addresses are given below having associated ourselves for purpose described in this Memorandum of Association and set our respective hands thereon to and form ourselves into a Society under the Societies Registration Act, 1860 this 14th Day of August, one thousand nine hundred and ninety seven.

Name	Signature
Dr. G. C. Srivastava	Sd/-
Shri Chandrakant Keni	Sd/-
Shri Shashikant Narvekar	Sd/-
Shri Madhav Pandit	Sd/-
Adv. Uday Bhembre	Sd/-
Shri Vinayak Naik	Sd/-
Shri Sripad M. Prabhudessai	Sd/-

P. V. S. Sardessai, District Registrar and Head of Notary Services.

Panaji, 20th August, 1997.

Rules and Regulations of Institute Menezes Braganza Panaji-Goa

1. *Short title.*— These Rules may be called "Rules and Regulations of the Institute Menezes Braganza - Panaji".

2. *Definition.*— In these Rules and Regulations, unless the context otherwise require:—

i) "Society" shall mean the Institute Menezes Braganza.

ii) "Government" shall mean the Government of Goa in the Administrative Department dealing with the Society from time to time.

iii) "Chairman" shall mean the Chairman of the Society. "Vice-Chairman" shall mean the Vice-Chairman of the Society.

iv) "Principal Executive Officer" shall mean Member Secretary of the Society.

3. *Members of the Society.*— (1) The membership of the Society shall initially be restricted to following Institutions:

- Government of Goa;
- Editors Guild;

- iii) Gomantak Marathi Academy;
- iv) Goa Konkani Academy;
- v) Gomantak Sahitya Sevak Mandal;
- vi) Gomantak Rashtrabhasha Vidhyapeeth;
- vii) Goa University;
- viii) Sanskrit Pracharini Sabha.

(2) Associate Members: The Society may invite important National and International Institutions having similar objectives to be its Associate Members. Such members may be invited to attend meetings of the Society and participate in the deliberations.

(3) Honorary Members: The Society may confer honorary membership upon eminent personalities working in the fields related to the objectives of the Society.

4. *Managing Committee.*— The Society shall have a managing committee consisting of the following:—

i) Chief Secretary	Chairman
ii) Vice-Chairman	(To be elected from amongst the members)
iii) Chairman Editors Guild	Member
iv) President, Gomantak Marathi Academy-Panaji	— do —
v) President, Goa Konkani Academy Panaji	— do —
vi) President, Gomantak Sahitya Sevak Mandal-Panaji	— do —
vii) President, Gomantak Rashtrabhasha Vidhyapeeth, Margao	— do —
viii) President, Sanskrit Pracharini Sabha-Margao	— do —
ix) Finance Secretary, Govt. of Goa	— do —
x) Director of Art & Culture-Panaji	Member Secretary

5. *Restrictions on holding office.*— No persons who is undischarged insolvent or who has been convicted of any offence in connection with the formation, promotion, management or conduct of the affairs of the Society or of a body corporate, or of any offence involving moral turpitude, shall be entitled to be a member of the Society or any other committee within the Society.

6. All outgoing members other than ex-officio members shall be eligible for re-appointment.

7. A member of the Society other than ex-officio member shall cease to be such member, if—

a) the members of the Society, by not less than third majority of its total Members, terminate the membership of any member, if it is found that the member institution is engaged in activities which may be termed as prejudicial to the objectives of the Society;

b) he/she does not attend three consecutive meetings of the Society without obtaining leave of absence from the Chairman;

c) he/she resigns, becomes of unsound mind, becomes insolvent or is convicted of an offence involving moral turpitude.

8. Resignation of membership of the Society shall be tendered to the Chairman and shall take effect only after it has been accepted on behalf of the Society by the Chairman. The resignation of the Vice-Chairman from his office shall be tendered to the Chairman.

9. The Society shall function notwithstanding any vacancy and notwithstanding any defect in the appointment or nomination of any of its members, and no act or proceeding of the Society shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of its members.

10. *Meetings.*— i) An annual meeting of the Society shall be held once in a year on such time, date and place as may be determined by the Chairman.

ii) The Chairman may convene a special meeting of the Society whenever he thinks fit provided that Chairman shall call a meeting of the Society upon a written requisition of not less than five (5) members specifying the purpose for which the meeting is to be called; and

iii) The power of the Chairman under this rule may, in his absence, be exercised by the Vice-Chairman.

11. Except as otherwise provided in these Rules, all meeting of the Society shall be called by notice under the signature of the Director, who will be ex-officio Member Secretary of the Society.

12. Every notice calling a meeting of the Society shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Society not less than 15 clear days before the day appointed for the meeting. Provided that the Chairman may for reasons to be recorded, call a special meeting on such shorter notice as he may think fit.

13. i) If the Chairman is not present at any meeting of the Society, the Vice-Chairman shall preside over the said meeting; and

ii) In the absence of the Chairman and Vice-Chairman, every meeting of the Society shall be presided over by a member chosen by the members present on the occasion. The member presiding shall have an additional or casting vote.

14. Any business which it may be necessary for the Society to transact may be carried out by circulation of the draft resolution amongst all the members and any resolution so circulated and approved by majority of the members by affixing their signatures thereto, shall be as effectual and binding as if such resolution had been passed at a meeting of the Society.

15. The Chairman may refer any question, which in his opinion, is of sufficient importance to justify such a reference, for the decision of the Government and such decision shall be binding on the Society.

16. The Society shall have the following powers and functions namely:—

i) to elect the Vice-Chairman from amongst the members of the Society by rotation for a tenure of three years;

ii) to approve annual budget of the Society drawn up by the Executive Committee;

iii) to approve the Annual report of the Society drawn up by the Executive Committee;

iv) to consider and approve programmes and specific projects drawn up by the Executive Committee;

v) to frame with the approval of the Government of Goa its Regulations, Bye-Laws and Rules of Procedure.

vi) Subject to the provision of these Rules, to do any and all such other acts as may be necessary for the maintenance of the Society and performance of its functions.

17. *Executive Committee.*— The Society shall have an Executive Committee for carrying out day to day activities. The Committee shall consist of five members namely — the Chairman, Vice-Chairman, Member Secretary and two members of the Society elected by the managing committee. The Executive Committee shall meet at least once each quarter of the year.

18. *Powers of the Executive Committee.*— i) the Executive Committee have powers to appoint Staff, other than the Member Secretary for carrying out assignments.

ii) the Executive Committee shall frame Bye-laws consistent with the Memorandum of Association and Rules and Regulations of the Society and add, alter, amend and rescind the same from time to time for the administration and management of the affairs of the Society, provided that any such Bye-laws, Rules and Regulation and any addition alteration and amendment to these, shall require the approval of the Government of Goa.

iii) without prejudice to the generality of the foregoing provisions, such Bye-laws may provide for the following matters:—

a) preparation of programmes, research schemes and projects of the Society;

b) preparation of Annual Report and the Budget;

c) such other matters as may be necessary for the furtherance of the objectives and proper administration of the affairs of the Society;

d) terms of allowance and other conditions for the members of the Society, guest artists and other visitors;

e) establishment and management of funds, grants of advance etc.;

f) to select a common seal for the Society and provide for the custody and use of such seal;

g) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the Society;

h) to grant leave of absence to any officer of the Society and to make necessary arrangements for the discharge of the functions of such officer during his absence;

i) to regulate and enforce discipline among the employees of Society and to take such disciplinary measures in this regard as may be deemed necessary;

j) to provide for terms and conditions for recruitment of staff.

19. The Society may delegate to any of its members and/or any of the functionaries of the Society such administrative and financial powers and impose such duties as it deems proper and also prescribe limitations within which the said powers and duties are to be exercised or discharged.

20. The accidental omission to give notice of any meeting of the Society to or the non-receipt of a notice by any person entitled to receive such notice shall not invalidate the proceedings of that meeting.

21. The members of the Society or the Executive Committee members appointed by it shall not be entitled to any remuneration from the Society. The non-official members appointed shall be paid by the Society such travelling allowance and daily allowances as may be provided for in the Bye-laws to be made in this behalf in respect of the journey undertaken by them for attending the meeting of the Society, in connection with any business of the Society.

22. *Powers of the Chairman.*— The Society may by resolution, delegate to its Chairman such of its powers for the conduct of business as it may deem fit subject to the conditions that the action taken by the Chairman under the powers so delegated shall be reported for information at the next meeting of the Society.

23. The Chairman may, in writing, delegate such of his powers as may be necessary to any of the members of the Society or any of the employees of the Society.

24. *Functions and Powers of the Member Secretary.*— The Member Secretary of the Society shall be the Head of the office appointed by the Government of Goa for the Society on such terms and conditions as may be approved by the Government

provided that Director, Art & Culture, Government of Goa shall be the first Member Secretary of the Society and of the Managing Committee.

25. Subject to any direction that may be given by the Society, the Member Secretary shall be the Principal Executive Officer of the Society. He shall be responsible for the proper administration of the affairs of the Society under the direction and guidance of the Chairman and for the preparation of accounts and budget of the Society.

Provided that the Member Secretary may, with the concurrence of the Society, delegate any of his powers and functions to any other officer or authority appointed or established under these Rules.

a) The Member Secretary shall under the direction of the Chairman convene, whenever necessary, meetings of the Society and any Committee or Sub-Committee thereof;

b) The Member Secretary shall keep or cause to be kept proper records and minutes of the proceedings of the meetings of the Society and send copies thereof to the Government/Administration Department. The Member Secretary will do everything necessary to give effect to the resolution passed by the Society and any Committee thereof. The Member Secretary shall keep or cause to be kept all records of the society at its office or at any other place to be determined by the society;

c) The Member Secretary shall or any member of the Society if so authorised by a resolution passed in that behalf by the Society, may execute all contracts deeds and other instructions on behalf of the Society;

d) The Society may sue or be sued in the name of the Society through the Member Secretary.

26. a) The Member Secretary shall, in all matters under his charge have the powers and duties assigned to him in these Rules and Regulation and the Bye-laws that may be framed, or all such powers and duties as may be delegated to him by the Society.

b) Being the Principal Executive Officer of the Society, the Member Secretary shall, if he so considers that an emergency has arisen requiring immediate action as regards the affairs of the Society take such action as he deems fit and shall report the same for confirmation to the Chairman.

27. The Member Secretary shall specify the duties of all employees and shall exercise such supervision and disciplinary control as may be necessary subject to the Rules, Regulations and Bye-laws that may be framed.

28. It shall be the duty of the Member Secretary to co-ordinate and exercise general supervision over all academic, research, training, refresher, short term courses, seminars and other activities under the Society.

29. *Account and Audit.*— i) the Government shall provide funds to the Society under the Budget of Art & Culture. Funds for maintenance, payment of salaries, contingent expenditure for

various schemes shall be provided as approved and sanctioned by the Government;

ii) the Society shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be specified by the Government;

iii) the accounts of the Society shall be audited annually in such manner as the Government may direct.

30. *Miscellaneous.*— a) The studies and research programmes conducted by the Society shall be open to persons of either sex and whatever race, religion, creed, caste or class and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, teaching, administrative and technical staff, students and research workers or in any other connection whatsoever.

b) No benefaction shall be accepted by the Society which in its opinion, involves conditions or obligation opposed to the spirit and objects of the Society.

31. The Government may appoint one or more persons to review the progress of work of the Society and to hold enquiries into the affairs thereof and to report thereon, in such manner as the Government may stipulate and upon receipt of any such report and the comments of the Society, the Government may take such action and issue such direction as it may consider necessary in respect of any of the matters dealt with in the report and the said directions shall be binding on the Society.

32. If on the winding up or dissolution of the Society, there shall remain, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Society or any of them but shall be dealt with in such manner as the Government may determine.

33. *Amendments of Rules and Regulations.*— Subject to the provision of the Societies Registration Act, 1860, the Society may alter or extend the purpose for which it is established with previous concurrence of the Government.

34. The Rules and Regulations of the Society may be altered at any time with the sanction of the Government by a resolution passed by a majority of the Members of the Society present at any meeting of the Society duly convened and held for the purpose under section 12 of the Societies Registration Act, 1860.

35. The Society may be dissolved in accordance with the provisions of section 13 of the Societies Registration Act after obtaining previous consent of the Government in that behalf.

36. *The Society shall.*— a) prominently display its name outside its office or the place where its business is carried on;

b) have a seal with its name engraved thereon which shall remain in the custody of the Member Secretary; and

c) have its name mentioned in all documents executed in its favour or on its behalf.

Certificate

We the following members of the Society certify that the above is the correct copy of the Rules of the Society.

Sr. No.	Name	Designation	Signature
1.	Dr. G. C. Srivastava	Chief Secretary Govt. of Goa Secretariat, Panaji-Goa.	Sd/-
2.	Adv. Uday Bhembre	President, Konkani Academy, Panaji-Goa.	Sd/-
3.	Shri Chandrakant Keni	Chairman, Editors Guild, Panaji-Goa.	Sd/-
4.	Shri Vinayak Naik	President, Gomantak Sahitya Sevak Mandal, Panaji-Goa.	Sd/-
5.	Shri Shashikant Narvekar	President, Gomantak Marathi Academy, Panaji-Goa.	Sd/-

6. Shri Madhav Pandit

President,
Gomantak
Rashtra bhasha
Vidhyapeeth
Margao-Goa.

Sd/-

7. Shri Sripad M.
Prabhudessai

President,
Sanskrit
Pracharini Sabha,
Margao-Goa.

Sd/-

Certificate of Registration

(See Rule 5)

(The Societies Registration Act, 1860)

(Central Act 21 of 1860)

Registered No. 112/Goa/97

It is certified that the Society "INSTITUTE MENEZIES BRAGANZA".....has this day been duly registered under the Societies Registration Act, 1860 (Central Act 21 of 1860).

Given under my hand this day of 14th August, 1997.

P. V. S. Sardesai, District Registrar and Head of Notary Services.

Panaji, 20th August, 1997.